

REMARKS

The Office Action mailed October 16, 2008 has been carefully considered. Within the Office Action, Claims 1-28 have been rejected. The Applicants have amended Claims 1, 5, 10-16, 19 and 24, canceled Claims 17-18 and added Claims 29-30. No new matter has been added. The Applicants reserve the right to further pursue the canceled claims in a continuation and/or divisional application as well as for appeal purposes. Reconsideration in view of the following remarks is respectfully requested.

Objections to the Specification

The specification was objected to because the abstract does not commence on a separate sheet. Applicants submit herewith a new abstract on a separate sheet as provided in the “Amendments to the Abstract” section of the Amendment. Applicants accordingly request withdrawal of the objections to the specification.

Objections to the Claims

Claims 19 and 24 were objected to because “The apparatus” should be “An apparatus.” Applicants have amended the claims in accordance with the Examiner’s suggestions. Applicants accordingly request withdrawal of the objections to the claims.

Rejections under 35 U.S.C. § 101

Claims 10-19 and 24 were rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. This rejection is respectfully traversed.

Claims 10-16, 19 and 24 have been amended and claims 17-18 have been canceled. Applicants accordingly request withdrawal of the rejections under 35 U.S.C. § 101.

Rejections under 35 U.S.C. § 102

Claims 1-28 were rejected under 35 U.S.C. § 102(b) as being anticipated by Rosenberg et al. (U.S. Patent Publication 2001/0035854, hereinafter “Rosenberg”). This rejection is respectfully traversed.

Rosenberg fails to describe all of the limitations of independent claim 1 including, *inter alia*: “...outputting a request at the communication device, the request relating to a contact with the user-interface member to receive the virtual touch; and providing a control signal to the actuator in response to the contact with the user-interface member, the control signal configured to cause the actuator to output a haptic effect associated with the virtual touch at the user-interface member.” Similar limitations are included in independent claims 10 and 19.

Rosenberg also fails to describe all of the limitations of independent claim 5 including, *inter alia*: “receiving a virtual touch indicator and a virtual touch signal at a communication device; performing an initialization responsive to the virtual touch indicator on a communication device; and outputting a control signal associated with the virtual touch signal to an actuator coupled to the communication device after performing the initialization.” Similar limitations are included in independent claims 13 and 24.

Rosenberg describes a haptic feedback touch control that is used to provide input to the computer from a user that also outputs haptic feedback to the user at the touch control. Users contact a touch surface of the touch control device to, for example, move a cursor displayed in a

graphical environment of the computer. The touch surface is able to identify the position of the user's finger on the touch surface and generates a position signal that is transmitted to the processor of the computer. The location of the cursor in the graphical environment corresponds with the position of the user's finger on the touch surface based on that position signal.

The Office Action asserts that outputting a positional signal to the processor (par. [0008]) of Rosenberg describes outputting a request. Applicants respectfully disagree. Claim 1 requires that the request relate to a contact with the user-interface member to receive the virtual touch. That is, in claim 1, the communication device requests that the user contact the user-interface member so that the user can receive the haptic effect associated with the virtual touch at that user-interface member. Rosenberg simply fails to describe the computer requesting that the user contact the touch pad to receive the haptic feedback.

Furthermore, Rosenberg fails to describe receiving both a virtual touch indicator and a virtual touch signal at the communication device, as recited in independent claims 5, 13 and 24. The Office Action points to the sensed position signal as being the virtual touch indicator and the force information received at the microcontroller as being the virtual touch signal. However, the force information in Rosenberg is not received at a communication device together with the position signal. In contrast, in claim 5, the virtual touch indicator is used to performed the initialization while the virtual touch signal is used to provide the haptic effect to the user after the initialization.

Thus, the cited art fails to teach or suggest all of the limitations of independent claims 1, 5, 10, 13, 19 and 24. Claims 2-4, 6-12, 14-16, 20-23 and 25-30 depend, directly or indirectly,

from one of the foregoing independent claims. Applicants accordingly request withdrawal of the rejections under 35 U.S.C. § 102(b).

Conclusion

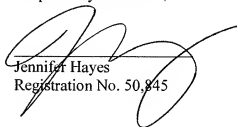
It is believed that this reply places the above-identified patent application into condition for allowance. Early favorable consideration of this reply is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-3557.

Respectfully submitted,



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